



City Council Agenda

Council President
Tom Boyajian

Councilmembers

Brian Calhoun
Brad Castillo, Acting President
Mike Dages

Jerry Duncan
Henry T. Perea
Cynthia Sterling

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch , CMC

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

TUESDAY, FEBRUARY 25, 2003

If you would like to speak, fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on (www.ci.fresno.ca.us) The Council meeting can also be heard live at the same web site address.

8:30 A.M. Joint Meeting with Madera County Board of Supervisors, Valley Children's Hospital
Action Taken:

Breakfast

9:00 AM Pledge of Allegiance

- I. Opening Comments and Introductions
 - A. Chairman Vern Moss – Madera County Board of Supervisors
 - B. Mayor Alan Autry – City of Fresno
- II. Brief Comments from Madera County Board of Supervisors and Fresno City Councilmembers
- III. Presentation of General Plan
 - A. Madera County General Plan Presentation – Dave Herb, Planning Director
 - B. City of Fresno General Plan presentation – Nick Yovino, Planning and Development Director

- IV. Comments and Open Discussion by Board of Supervisors and Councilmembers concerning the following:
1. Water
 2. Land Use
 3. Transportation
 4. Growth Projects
 5. Air Quality
 6. Fiscal Concerns
- V. Forum for Future Discussions
- VI. Presentation by Childrens Hospital of Central California
- VII. Public Comment
- VIII. 11:30 A.M. - Adjournment

Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

2:00 P.M. ROLL CALL

Invocation by Senior Pastor Jeffrey W. Frymire of the First Church of God

Pledge of Allegiance to the Flag

Approve minutes of February 11, 2003

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

Proclamation of "OSCAR SPANO DAY" - Councilmember Calhoun

Proclamation of "ROUGE PERFORMANCE FESTIVAL" - Council President Boyajian

Proclamation of "POLICE ACTIVITIES LEAGUE DAY" - Mayor Autry and All Councilmembers

TIME SCHEDULED HEARINGS AND MATTERS

2:00 P.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of February 11, 2003

Action Taken:

AGENCY GENERAL ADMINISTRATION

A. Consider actions relating to the approval and adoption of the proposed Freeway 99/Golden State Boulevard Corridor Redevelopment Plan

Action Taken:

1. **RESOLUTION** - Approving and directing that the proposed Redevelopment Plan for the Freeway 99 – Golden State Boulevard Corridor Redevelopment Project Area be submitted to the Planning Commission and interested parties **(Agency Action)**

Action Taken:

2. **RESOLUTION** - Determining that a Project Area Committee (PAC) need not be formed for the Freeway 99 – Golden State Boulevard Corridor Redevelopment Project **(Agency and Council Action)**

Action Taken:

3. **RESOLUTION** - Authorizing the Agency to transmit the proposed Redevelopment Plan and the Preliminary Report to affected taxing entities **(Agency Action)**

Action Taken:

ADJOURN AGENCY

2:30 P.M.

Initiate review and consideration of the 2025 Fresno General Plan Implementation Program - Planning and Development Dept.

Action Taken:

3:30 PM#1

CONTESTED CONSENT ITEMS

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

3:30 PM#2

CLOSED SESSION

- A. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**, Govt. Code Section 54956.9(a)
1. **Case Name:** Solpac, Inc., Soltek Pacific v. City of Fresno, et al. Mauldin Dorfmeier Construction, Inc. (Real Party in Interest)
 2. **Case Name:** City of Fresno v. Shell Oil, et al.
 3. **Case Name:** Lopez, Guadalupe, et al. v. City of Fresno, et al.
 4. **Case Name:** City of Fresno v. Garfield Park Highlands, et al. (Cambridge Homes, Inc.)
Action Taken:

- B. **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6
City Negotiator(s): Severo Esquivel, Adela Gonzalez and Jorge C. Aguiniga
Employee Organization(s):
1. Amalgamated Transit Union (ATU) Unit 06
Action Taken:

4:15 P.M. **HEARING** to consider Plan Amendment Application No. A-02-06, Rezoning Application No. R-02-12, and environmental findings, filed by James Logan on behalf of Spalding Wathen, for 6.75 acres of property located on the west side of N. Chestnut Avenue between E. Shepherd and E. Cole Avenues
(Property located in District 6)

Action Taken:

- a. Consider and adopt finding of Mitigated Negative Declaration for Environmental Assessment A-02-06, R-02-12, C-02-59
Action Taken:
- b. **RESOLUTION** - Amending the 2025 Fresno General Plan and Woodward Park Community Plan
Action Taken:
- c. **BILL** - Amending the Official Zone Map to rezone from the R-1/UGM zone district to the R-2/UGM zone district
Action Taken:

1. **GENERAL CONSENT CALENDAR**

(All consent calendar items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested, in which event the item will be removed from the Consent Calendar and considered at 3:30 p.m.)

- A. **RESOLUTION** - Continuing Resolution Nos. 2003-20 and 2003-41 proclaiming a local emergency relating to the fire burning at Archie Crippen Excavation in the vicinity of Marks and Nielsen Avenues - City Manager's Office
Action Taken:

1.

GENERAL CONSENT CALENDAR CONTINUED

- B. * RESOLUTION** - 68th amendment to AAR No. 2002-216 appropriating \$375,000 in interest from various UGM funds for the purpose of funding legal costs and employee costs **(Requires 5 affirmative votes)**
- Public Works Dept.
Action Taken:
- C. RESOLUTION** - Of intention to annex Final Tract No. 5071 to the City of Fresno Community Facilities District No. 2, Annexation No. 44, rescinding Resolution No. 2003-37 and Superseding Resolution No. 2002-410 - Public Works Dept.
Action Taken:
- D. RESOLUTION** - Authorizing the execution and delivery of a Helicopter Financing Agreement regarding the acquisition and lease financing of a single engine turbine helicopter and authorizing the execution and delivery of documents required in connection therewith - Finance Dept.
Action Taken:
- E. RESOLUTION** - Authorizing acceptance of 2002-2003 Evict Narcotics From Public Housing Grant Program pass through and roll over funding from the Housing Authority of the City and County of Fresno and execution of program documents - Police Dept.
Action Taken:
- 1. * RESOLUTION** - 69th amendment to AAR No. 2002-216 appropriating \$36,000 of ENPH Grant funds to the Police Department **(Requires 5 affirmative votes)**
Action Taken:
- F. Consideration of proposed Copper-Maple No. 2 Reorganization consisting of 68.8 acres proposed for detachment from the Fresno County Fire Protection District and annexation of the same territory to the City of Fresno (Property located in District 6) - Planning and Development Dept.**
Action Taken:
- 1. * RESOLUTION** - Applying to the Fresno Local Agency Formation Commission (LAFCO) in the matter of the proposed Copper-Maple No. 2 Reorganization
Action Taken:
- G. Approve the reappointment of Susan Williams and Karen Musson to the Roosevelt Implementation Committee and the appointment of Billie MacDougall to the Commission on the Status of Women - Councilmember Dages**
Action Taken:
- H. RESOLUTION** - Of support for Community Emergency Response Teams (CERT) and Citizens Corps Grant - Mayor's Office
Action Taken:
- I. * RESOLUTION** - 70th amendment to AAR No. 2002-216 appropriating \$850,000 for special projects in the Public Works Department Streets Division **(Requires 5 affirmative votes)** - Public Works Dept./Street Maintenance Division
Action Taken:

1. **GENERAL CONSENT CALENDAR CONTINUED**

- J. Approve Memorandum of Understanding (MOU) between Fresno Unified School District and the City of Fresno Parks, Recreation and Community Services Department for the handling of the Mobile Science Workshop - Parks and Recreation Department

Action Taken:

2. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

3. **GENERAL ADMINISTRATION**

- A. Request by Mayor Autry to reconsider the action taken action amending Subsections (a), (b), (c), (d) and (f) of Section 3-105 and Subsection (a) of Section 3-109, adding Sections 3-105.1, 3-105.2, 3-109.3 and 3-113 to, and adding Article 5 to Chapter 3 of the Fresno Municipal Code relating to advertised competitive bidding and design-build contracts

Action Taken:

1. * **BILL NO. B- 70 - (Intro. 12/17/2002) - (Alternative A)** - Advertised competitive bidding required for contract involving expenditure of City monies exceeding \$100,000 pursuant to Section 3-105 of the Fresno Municipal Code

Action Taken:

- B. Direction regarding previously tabled matter:

1. Request City Manager to direct staff to initiate inquiries to other firms regarding red light camera operation - ***(Originally discussed at 7/23/2002 meeting and laid over to 2/25/2003)***

Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. **RESOLUTION** - Requesting Governor Gray Davis veto Bills ABX1 12 and SBX1 15 passed by the State Legislature which will allow violent felons early release from prison in order to ease California's budget - Councilmember Perea

Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Mar.	4 -	8:30 A.M.	Consider approval of the Annual Report of the Redevelopment Agency of the City of Fresno for Fiscal Year 2001-2002
Mar.	4 -	10:00 A.M.	HEARING re: Rezoning Appl. No. R-02-054, filed by Dona Bedian & Hannah Architects, located at 504 S. Dearing Avenue
Mar.	4 -	10:15 A.M.	HEARING re: Resolution of necessity on Pump Station 30B
Mar.	4 -	10:20 A.M.	HEARING re: Resolution of necessity on Hildago Three (3) Street Improvements
Mar.	4 -	10:30 A.M.	Presentation by EDC on five year plan for producing jobs. - Councilmember Perea
Mar.	11 -	10:15 A.M.	HEARING to consider adoption of a resolution approving the formation of UUD No. FRE-82 (Barton Avenue betw. Dakota Avenue and Hampton Way - Public Works Dept.
Mar.	11 -	10:20 A.M.	HEARING re: Plan Amendment No. A-02-17, Rezone Appl. No. 02-30, filed by Jose Alonzo, property located at 4343 E. Floradora
Mar.	18 -	10:00 A.M.	HEARING re: Annual Weed Abatement Program - HECD
Mar.	18 -	10:45 A.M.	HEARING re: CFD No. 2, Annexation No. 45 - Tract No. 5117 and 5121 - Public Works Dept.
Mar.	18 -	11:00 A.M.	HEARING re: CFD No. 2, Annexation No. 44 - Tract No. 5071 - Public Works Dept. <i>(Continue to 4/1/2003 @ 10:00 a.m.)</i>
Mar.	25 -	10:00 A.M.	HEARING re: Rezoning Appl. No. R-02-26, filed by Cambridge Homes <i>(May be continued)</i>
Apr.	1 -	10:00 A.M.	CONTINUED HEARING re: CFD No. 2, Annexation No. 44 - Tract No. 5071 - Public Works Dept.
Apr.	1 -	10:05 A.M.	HEARING re: Rezone Appl. No. R-02-44, filed by Dirk Poeschel
Apr.	8 -	10:00 A.M.	Discussion of downtown parking operational hours, garages and parking meters - Councilmember Dages
Apr.	8 -	10:15 A.M.	HEARING re CFD No. 2, Annexation No. 46, Final tract Nos. 5070 and 5077
Apr.	22 -	NO MEETING - EASTER WEEK	
May	27 -	NO MEETING - MEMORIAL DAY	